

2005 No. 2251

SECURITY INDUSTRY, ENGLAND AND WALES

**The Private Security Industry Act 2001 (Designated Activities)
(No. 3) Order 2005**

<i>Made</i> - - - -	<i>10th August 2005</i>
<i>Laid before Parliament</i>	<i>16th August 2005</i>
<i>Coming into force</i> - -	<i>12th September 2005</i>

The Secretary of State, in exercise of the powers conferred upon him by section 3(3) of the Private Security Industry Act 2001(a), having consulted the Security Industry Authority in accordance with section 24(4)(b) of that Act, hereby makes the following Order:

Citation, commencement, extent and interpretation

- 1.—(1) This Order may be cited as the Private Security Industry Act 2001 (Designated Activities) (No. 3) Order 2005 and shall come into force on 12th September 2005.
- (2) This Order extends to England and Wales.
- (3) In this Order “the 2001 Act” means the Private Security Industry Act 2001.

Designated activities

- 2.—(1) The activities of a security operative specified in paragraph (2) are hereby designated for the purposes of section 3 of the 2001 Act.
- (2) The activities specified for the purposes of paragraph (1) are—
- (a) those set out in paragraph 2 of Schedule 2 to the 2001 Act (manned guarding) carried out in relation to premises of the description contained in paragraph 8(c) of that Schedule;
 - (b) those set out in paragraph 3(d) of Schedule 2 to the 2001 Act (immobilisation of vehicles);
 - (c) those set out in paragraph 3A(e) of Schedule 2 to the 2001 Act (restriction and removal of vehicles).

(a) 2001 c. 12.
(b) Section 24(4) of the 2001 Act is prospectively amended by the Serious Organised Crime and Police Act 2005 (c. 15), section 17(1) and paragraphs 1 and 11(e) of Schedule 15.
(c) Paragraph 8 of Schedule 2 to the 2001 Act is prospectively amended by the Licensing Act 2003 (c. 17), section 198(1) and paragraph 118 of Schedule 6.
(d) Paragraph 3 of Schedule 2 to the 2001 Act was amended by the Private Security Industry Act 2001 (Amendments to Schedule 2) Order 2005 (S.I. 2005/224).
(e) Paragraph 3A of Schedule 2 to the 2001 Act was inserted by the Private Security Industry Act 2001 (Amendments to Schedule 2) Order 2005.

Revocation

3. The Private Security Industry Act 2001 (Designated Activities) Order 2004(a) and the Private Security Industry Act 2001 (Designated Activities) (No. 2) Order 2005(b) are hereby revoked.

Home Office
10th August 2005

Hazel Blears
Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates certain activities of security operatives for the purposes of section 3 of the Private Security Industry Act 2001 (“the 2001 Act”). Section 3(1) of the 2001 Act makes it an offence to engage in licensable conduct except under and in accordance with a licence granted by the Security Industry Authority.

Article 2(2)(a) of this Order designates, for the purposes of section 3 of the 2001 Act, the activities of security operatives engaged in manned guarding (as defined in paragraph 2 of Schedule 2 to the 2001 Act) on licensed premises at or in relation to times when those premises are open to the public (as defined in paragraph 8 of Schedule 2 to the 2001 Act). Such security operatives are commonly known as door supervisors. Previously, the Private Security Industry Act 2001 (Designated Activities) Order 2004 (“the 2004 Order”) only designated the activities of such operatives when they were undertaken on licensed premises in respect of which a justices’ on-licence was in force (as defined in paragraph 8(2)(a) of Schedule 2 to the 2001 Act). Article 2(2)(a) of this Order designates those same activities and in addition designates manned guarding activities which take place on other licensed premises listed in paragraph 8(2) of Schedule 2 to the 2001 Act.

Article 2(2)(b) and (c) of this Order designates, for the purposes of section 3 of the 2001 Act, the activities of security operatives engaged in the immobilisation of vehicles (as defined in paragraph 3 of Schedule 2 to the 2001 Act) and the restriction and removal of vehicles (as defined in paragraph 3A of Schedule 2 to the 2001 Act). These activities were previously designated by the Private Security Industry Act 2001 (Designated Activities) (No. 2) Order 2005 (“the 2005 Order”).

Article 3 of this Order revokes the 2004 Order and the 2005 Order.

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- (a) S.I. 2004/917.
(b) S.I. 2005/1107.

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